

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47987 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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1. Nizamuddin @ Najibul @ Najibul Mansoori Son of Rafique Mian, R/o Village - Rukundipur, P.S. - Darainda, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner, for the State and for the informant.

In this case, petitioner is seeking bail in Husainganj P.S.Case no. 75 of 2015 registered u/s 302/201/34 IPC.

Headless dead body of the victim was found by the side of river Daha. Allegation has been made by the father of the victim-informant that the victim was a regular visitor to Rukhsana Khatoon with whom he had good relationship. On the alleged date of occurrence, victim receiving telephone call from Rukhsana Khatoon had gone to her house and thereafter did not return. Later on the headless body of the victim was found.

It has been submitted by the counsel for the petitioner that there is no eye witness to the occurrence nor there is any

recovery from the possession of the petitioner and on that basis petitioner deserves to be enlarged on bail.

Counsel for the informant submits that Spice Mobile set was recovered from the pillow of the petitioner and the petitioner is having a criminal antecedent and from the impugned order it appears that blood stained earth was found in front of house of petitioner which itself creates strong suspicion against the petitioner.

Having considered the facts and circumstances of the case, it appears that the Police had found blood in front of house of the petitioner, including other materials which are against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is dismissed.

(Shivaji Pandey, J)

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